

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
HYPERION MEDICAL, P.C., :  
: Plaintiff, : Case No. 20-cv-5081(ALC)  
: Plaintiff, : : JOINT REQUEST FOR  
: v. : ADJOURNMENT OF  
: : STATUS REPORT  
: Plaintiff, :  
: Defendant. :  
-----x

**MEMO ENDORSED**

On November 29, 2020, the Court ordered Defendant UnitedHealthcare Insurance Company of New York (“United”) to file an affidavit responding to the Court’s inquiry by December 8, 2020, and the parties to file a joint status report by December 17, 2020. (Doc. No. 29).

Per the Court’s order, United filed an affidavit responding to the Court’s order on December 4, 2020. (Doc. 30).

Thereafter, the parties entered into discussions regarding settlement. Today, December 17, 2020, the parties held a settlement conference by Zoom. An additional settlement conference is planned for early next week.

The parties respectfully request that they be permitted to delay filing a joint status report until December 30, 2020 so that the parties may attempt to settle this matter. This request takes into account delays that may be caused by the upcoming holidays.

This is the parties' first request for an adjournment of the status report.

Respectfully submitted,

/s/ David Etkind  
David Etkind, Esq.  
ECHTMAN & ETKIND, LLC  
551 Fifth Avenue, 3<sup>rd</sup> Floor  
New York, New York 10176  
(212) 757-2310

  
SO ORDERED:  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

December 17, 2020

*Counsel for Plaintiff Hyperion Medical P.C.*

/s/ Michael H. Bernstein  
Michael H. Bernstein  
ROBINSON & COLE LLP  
Chrysler East Building  
666 Third Avenue, 20th Floor  
New York, NY 10017  
Tel. No.: (212) 451-2940  
Fax No.: (212) 451-2999  
E-mail: [mbernstein@rc.com](mailto:mbernstein@rc.com)

*Counsel for Defendant UnitedHealthcare Insurance Company of New York*